

## REMARKS

### Election requirement under 35 USC §121:

In response to the election requirement asserted under 35 USC §121, the Applicant provisionally elects for initial prosecution the following species.

Triazole fungicide (specific group of fungicides from diazole, triazole and strobilurin-type fungicides); Claims readable on triazole fungicides include claims 1 – 17 and 20 – 63.

Simeconazole (specific triazole); Claims readable on simeconazole include claims 1 – 11, 13, 20 and 22 – 63.

For additional ingredients named in dependent claims;

Claim 8: silthiofam (specific silthiofam-type fungicide); Claims readable on silthiofam include claims 1 – 63.

Claim 28: soybean plant (specific agronomic plant); Claims readable on soybeans include claims 1 – 63.

Claims 42, 57: captan (specific additional fungicide); Claims readable on captan as an optional additional fungicide include claims 1 – 63.

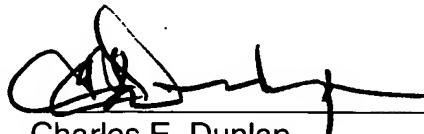
Claim 43: *Bradyrhizobium sp.* (specific inoculant); Claims readable on *Bradyrhizobium sp.* as a specific inoculant include claims 1 – 63.

Claim 46: resistance to glyphosate (specific transgenic event); Claims readable on glyphosate as an optional specific transgenic event include claims 1 – 63.

Respectfully requested,

NELSON MULLINS RILEY & SCARBOROUGH

June 18, 2003  
Date

  
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